

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
September 10, 2002, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
 - Invocation
 - Pledge of Allegiance
 - Approve the minutes of the previous meeting
-

AWARDS AND PRESENTATIONS

- Proclamations
-

PUBLIC AGENDA

- 1. King David Davis – Special Acknowledgements.
 - 2. James Barfield – Police.
 - 3. Richard Lopez – Latin Soccer League.
 - 4. Joe Wilson – Improvement to Westdale and Zoo Intersection.
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NEW BUSINESS

- 5. [Petition](#) to Construct a Waterline along Bebe, North of Central. (District VI)

Signatures on the Petition represent 7 of 16 (43.75 percent) resident owners and 58.33 percent of the improvement district area.

RECOMMENDED ACTION: Approve the Petition; adopt the Resolution.

(9:30 a.m., or as soon thereafter)

6. [Repair or Removal of Dangerous and Unsafe Structures.](#)

The City Council adopted Resolutions providing for a public hearing on the following properties:

	<u>Address</u>	<u>District</u>
1)	1508 North New York	I
2)	1527 North Ash	I
3)	4330-32 East Wilma	III

RECOMMENDED ACTION: Close the public hearing; accept the BCSA recommendations; and adopt the Resolutions.

7. [HUD Consolidated Plan Annual Performance and Evaluation Report.](#)

The Consolidated Annual Performance and Evaluation Report includes activities of the Community Development Block Grant, the HOME Investment Partnerships, and the Emergency Shelter Grant Programs covering the period from July 1, 2001, through June 30, 2002.

RECOMMENDED ACTION: Close the public hearing; receive and file and authorize submission of the Report.

8. [Sewage Treatment Plant No. 1 Modifications.](#)

Odor control upgrades and reliability improvements are recommended.

RECOMMENDED ACTION: Approve the design/build project; adopt the Resolution; authorize requests for proposals.

(10:00 a.m.)

9. [EastBank Development Agreement and Master Plan.](#) (District I)

On August 13, 2002, the City Council approved preparation of the completed East Bank Phase I Master Plan.

RECOMMENDED ACTION: Approve Agreement; authorize necessary signatures.

10. [Housing Services Department Expansion.](#)

Proposed options for expanding Housing Services' office space are provided for City Council consideration.

RECOMMENDED ACTION: Authorize Staff to proceed with relocation services and enter into a Contract for leased space.

CITY COUNCIL AGENDA

11. Selection of League of Kansas Municipalities Annual Conference Voting and Alternate Voting Delegates.

The City of Wichita may select up to a maximum of five (5) voting delegates and five (5) alternate voting delegates to represent the City in the conduct and management of the affairs of the League at the Annual Conference to be held in Wichita, October 12-15, 2002.

RECOMMENDED ACTION: Approve the voting and alternate delegate(s).

12. Selection of National League of Cities Annual Business Meeting Voting and Alternate Voting Delegates.

The City of Wichita may select one Voting Delegate and one Alternate Voting Delegate to represent the City in the conduct and management of the affairs of the National League of Cities at the Annual Congress of Cities – Salt Lake City, Utah, (Business Meeting) December 7, 2002.

RECOMMENDED ACTION: Approve the voting and alternate delegate(s).

13. This Item intentionally left blank.

14. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

15. Report of the Board of Bids and Contracts Dated September 9, 2002.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

16. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2002</u>	<u>(Consumption on Premises)</u>
Lan T. Ta	Kim Huong Restaurant*	1410 North Broadway

(Item 16 continued)

(Consumption off Premises)

Stan Edde	Falley's Inc., dba Food 4 Less #18	6727 West Central
Stan Edde	Falley's Inc., dba Food 4 Less #23	2141 South Meridian
Stan Edde	Falley's Inc., dba Food 4 Less #37	3020 East Douglas
Stan Edde	Falley's Inc., dba Food 4 Less #38	640 North West Street

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

17. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

18. Preliminary Estimates:

- a) Goebel, from the east line of Lot 29, Block 1, to and including cul-de-sac to serve Harrison Park Second Addition - north of Harry, east of Webb. (472-83612/765747/490858) Does not affect existing traffic. (District II) - \$133,000
- b) Lateral 335, Four Mile Creek Sewer to serve Harrison Park Second Addition - north of Harry, east of Webb. (468-83475/743935/480623) Does not affect existing traffic. (District II) - \$41,000
- c) Lateral 24, Cowskin Interceptor Sewer to serve Highland Springs Second Addition - west of 135th Street West, south of Central. (468-83029/743938/480626) Does not affect existing traffic. (District V) - \$130,000
- d) Lateral 3, Main 2, North West Interceptor Sewer to serve Chadsworth Plaza -north of 21st Street North, east of Maize. (468-83447/743936/480624) Does not affect existing traffic. (District V) - \$26,000
- e) Water distribution system to serve Chadsworth Plaza - north of 21st Street North, east of Maize. (448-89691/735074/470744) Does not affect existing traffic. (District V) - \$26,000
- f) Water distribution system to serve Harrison Park Second Addition - north of Harry, east of Webb. (448-89706/735073/470743) Does not affect existing traffic. (District II) - \$33,000
- g) Alley between Mead and Mosley from 10th to 11th Streets North to serve Sankey and McCall's Addition - south of 13th Street North, east of Broadway. (472-83254/765646/490757) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$81,000

RECOMMENDED ACTION: Approve and file.

19. Deeds and Easements:

- a) Sanitary Sewer Easement dated August 5, 2002 from Joe D. Davison and Karla Kessler-Davison, husband and wife, and Richard G. Chance and Carol L. Chance, husband and wife for a tract of land in Lot 1, Block 1, Peppermint Park Addition to Wichita, Sedgwick County, Kansas (Private Project, OCA# 607861). No cost to City.

(Item 19 continued)

- b) Drainage Easement dated August 5, 2002 from Box Development, L.L.C., a Kansas Limited Liability Company for a tract of land in the NE 1/4 of Sec. 33, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas (Private Project, OCA# 607861). No cost to City.
- c) Drainage Easement dated August 7, 2002 from TDFW, L.L.C., a Kansas Limited Liability Company and Starr Investments, L.L.C., a Kansas Limited Liability Company for a tract of land in Lots 4 and 5, Block A, College Hill Square, Wichita, Sedgwick County, Kansas (Private Project, OCA# 607861). No cost to City.
- d) Sanitary Sewer Easement dated August 3, 2002 from Sylvia E. Frederick for a tract of land in Section 32, Twp. 26-S, R-1-E of the 6th P.M., Sedgwick County, Kansas (Lat 141, M4, SS23, OCA# 743922). No cost to City.
- e) Sanitary Sewer Easement dated August 7, 2002 from Jeffrey L. and Lorena J. Holland for a tract of land in Lot 10, Block 3, Prairie Woods Addition, Sedgwick County, Kansas (Lat 484, SWI, OCA# 743923). No cost to City.
- f) Sanitary Sewer Easement dated August 21, 2002 from Marion M. Johnson and Beberly V. Johnson for a tract of land in Lot 1, Block A, Bike & Rider Addition, Sedgwick County, Kansas (Lat 484, SWI, OCA# 743923). No cost to City.
- g) Sanitary Sewer Easement dated August 15, 2002 from Wichita Habitat for Humanity for a tract of land in Lots 141 and 143, Ewing Avenue, Now Mathewson Avenue, in Granville Park Addition to the City of Wichita, Sedgwick County, Kansas (SS Recon Ph 6, OCA# 620352). No cost to City.
- h) Sanitary Sewer Easement dated August 15, 2002 from Wichita Habitat for Humanity for a tract of land in Lots 139, Ewing Avenue, Now Mathewson Avenue, in Granville Park Addition to the City of Wichita, Sedgwick County, Kansas (SS Recon Ph 6, OCA# 620352). No cost to City.
- i) Water Easement dated July 1, 2002 from Root Dry Goods Company, Inc., an Indiana Corporation for a tract of land in Lot 8, Towne West 2nd Addition, Wichita, Sedgwick County, Kansas (PPW 827, OCA# 607853). No cost to City.

RECOMMENDED ACTION: Accept documents.

20. Petitions for Public Improvements:

- a) Pave Great Plains, 34th Street, and Ridgewood in Great Plains Business Park Third Addition – east of Oliver, north of K-96. (District I)
- b) Street paving, sanitary sewer and water distribution system to serve part of Sawmill Creek Addition – east of Rock, north of 45th Street North. (District II)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

21. Minutes of Advisory Boards/Commissions:

Wichita Airport Advisory Board 6-3-2002
Board of Park Commissioners 6-10-2002
District VI Advisory Board Minutes 7-17-2002
Design Council 7-18-2002

RECOMMENDED ACTION: Receive and file.

22. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

23. Agreements/Contracts:

- a) [Services](#) for Historic Grant Nominations for Bitting, Park Place/Fairview, Topeka/Emporia, and East Douglas Historic Districts.
- b) [Agreement](#) to amend the City's Deferred Compensation Plan document.
- c) [Supplemental](#) – Crestview Pump Station rehabilitation. (District II)
- d) [Supplemental](#) – Nims Lift Station – within North Oak Park. (District V)
- e) [Historic](#) Park System Survey.
- f) [Educational](#) Exhibit Design – Herman Hill/Gilbert Mosley Facility.
- g) [Check](#) collection services.
- h) [Railroad](#) crossing for Burlington Northern and Santa Fe – along K-15 from Dayton Street to Derby. (Districts I and II)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

24. Design Services Agreements:

- a) [Supplemental](#) – sanitary sewer service to Kechi – Hydraulic Avenue, north of 37th Street North, to a location along 53rd Street North. (Districts I and V)
- b) [Fossil](#) Rim Estates Addition – east of Tyler, south of 29th Street North. (District V)
- c) [Northeast](#) Middle School Addition – south of 45th Street North, west of Oliver. (District I)
- d) [Maize](#) School Campus – south of 37th Street North, west of Tyler. (District V)
- e) [Chadsworth](#) Plaza – north of 21st Street, east of Maize. (District II)
- f) [Water](#) distribution System – 159th Street East, south of Kellogg. (District II)
- g) [Harrison](#) Park Second Addition – east of Webb, north of Harry. (District II)
- h) [Highland](#) Springs Second Addition – west of 135th Street West, south of Central. (District V)
- i) [Ridge Port](#) North Fourth Addition – south of 37th Street North, east of Ridge. (District V)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

25. [Change Order – 2002 Contract Street Maintenance Program](#). (District II)

RECOMMENDED ACTION: Approve Change Order; authorize necessary signatures.

26. [Local Law Enforcement Block Grant](#).

RECOMMENDED ACTION: Approve the application and receipt of funds; authorize necessary signatures.

27. [See Item 62](#).

28. [Webb Road Pump Station Exterior Renovation](#). (District II)

RECOMMENDED ACTION: Approve Alternative No. 2 and authorize repairs.

29. [Northwest Water Treatment Plant - Land Clean-Up](#). (District VI)

RECOMMENDED ACTION: Amend the CIP and authorize expenditures; adopt the Resolution.

30. [Four-Mile Creek Sewage Treatment Plant Improvements](#).

RECOMMENDED ACTION: Amend the CIP; authorize expenditures; adopt Resolution.

31. [Right-of-Way Acquisition for Floodway Crossing from I-235 to West Street](#). (Districts V and VI)

RECOMMENDED ACTION: Approve the project and first reading of the Ordinance.

32. [Rand Graphics, Inc. – Replacement of Equipment](#). (Districts IV and V)

RECOMMENDED ACTION: Adopt Resolution; authorize necessary signatures.

33. [Dye Hard, Inc. – Purchase Option](#). (District V)

RECOMMENDED ACTION: Authorize the Bond call; adopt the Resolution; authorize the necessary signatures.

34. [Certificate of Convenience and Necessity for Dream On Limousine Service.](#)

RECOMMENDED ACTION: Approve the Certificate of Convenience and necessity, subject to Staff approval of insurance policy; authorize necessary signatures.

35. Proposed Assessment Rolls.

Proposed Assessment Rolls have been prepared for forty-one (41) paving projects and it is necessary to set a public hearing date. Informal hearing with City personnel will be held September 30, 2002, at 11:00 a.m.

RECOMMENDED ACTION: Set the hearing on the Proposed Assessment Rolls for 9:30 a.m., Tuesday, October 15, 2002; authorize publication of the Notices.

36. [Release of Mortgage – 631 North Topeka.](#) (District VI)

RECOMMENDED ACTION: Approve the Release of Mortgage; authorize necessary signatures.

37. Property Acquisition:

a) [8006](#) and 8018 East Kellogg and a portion of 448 South Rock Road. (District II)

b) [2437](#) South Mead. (District III)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

38. Second Reading Ordinances: (First read August 20, 2002)

a) Building Code (Title 18).

An Ordinance creating Sections 18.05.317, 18.05.318, 18.05.395, 18.05.415, 18.05.635, 18.05.682, 18.05.683, 18.05.853, 18.05.856, 18.05.875, 18.05.1035, 18.06.155 and 18.06.165; amending Sections 18.05.600, 18.06.160 and 18.06.170; and repealing the originals of said Amended Sections, all in the Code of the City of Wichita, Kansas, and pertaining to the Building Codes of the City of Wichita, Kansas.

(Item 38 continued)

b) Mechanical Code (Title 22).

An Ordinance adopting the 2000 International Mechanical Code Amending Sections 22.04.010, 22.04.020, 22.04.251 and 22.04.300 of the Code of the City of Wichita, Kansas and repealing the original of said Amended Sections; creating Sections 22.04.011, 22.04.012, 22.04.013, 22.04.014, 22.04.016, 22.04.017, 22.04.018, 22.04.019, 22.04.022, 22.04.23, 22.04.024, 22.04.025, 22.04.026, 22.04.028, 22.04.029, 22.04.030, 22.04.031, 22.04.032, 22.04.034, 22.04.036.1, 22.04.036.3, 22.04.036.5, 22.04.036.7, 22.04.036.9, 22.04.036.11, 22.04.036.13, 22.04.035.15, 22.04.036.17, 22.04.036.19, 22.04.036.23, 22.04.036.24, 22.04.037 AND 22.04.037.4 of the Code of the City of Wichita, Kansas, and repealing Sections 22.04.021, 22.04.036, 22.04.037.1, 22.04.038, 22.04.039, 22.04.039.1, 22.04.039.2, 22.04.039.3, 22.04.039.4, 22.04.039.5 AND 22.04.039.6 of the Code of the City of Wichita, Kansas, all pertaining to the Mechanical Codes of the City of Wichita, Kansas.

c) ZON 2000-36 – south of Maple west of Hoover. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. ZON 2000-36

d) ZON 2002-01 - southeast corner of Kellogg and Greenwich Road. (District II)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. ZON 2002-01

RECOMMENDED ACTION: Adopt Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

*39. SUB2001-114 – Plat of Zeigler Office Park Addition – Northeast Corner of 135th Street West and Central.
(District V)

RECOMMENDED ACTION: Approve documents and Plat; authorize necessary signatures; adopt Resolutions; approve first reading of Z-3304 Ordinance.

*40. SUB2002-00024 – Plat of Fire Station No. 13 Addition – West of Meridian, North side of 42nd Street North.
(District VI)

RECOMMENDED ACTION: Approve document and Plat; authorize necessary signatures.

- *41. [Street Improvement Agreement for Lot Split No. SUB2002-86 – South of 13th Street, West of Meridian.](#)
(District VI)

RECOMMENDED ACTION: Approve the Agreement; authorize necessary signatures.

- *42. [V-2168 – Vacate Utility Easement – Northwest of Wild Rose and Forest Lakes.](#) (District V)

RECOMMENDED ACTION: Approve the Vacation Order; authorize necessary signatures.

- *43. [VAC2001-00030 – Vacate 60-Foot Drainage and Utility Easement – Northwest of the Main Street/North 9th Street Intersection.](#) (District VI)

RECOMMENDED ACTION: Approve the Vacation Order; authorize necessary signatures.

- *44. [VAC2001-00040 – Vacate Drainage Easements – Northeast of the Holland Street/Emerson Intersection.](#)
(District V)

RECOMMENDED ACTION: Approve the Vacation Order; authorize necessary signatures.

45. [VAC2002-00012 – Vacate Platted Alley – Northwest of the Washington Avenue South/Harry Street Intersection.](#)
(District I)

RECOMMENDED ACTION: Approve the Vacation Order and documents
(subject to the dedication and covenants);
authorize necessary signatures.

46. [VAC2002-00027 – Vacate Dedicated Public Right-of-Way – Northwest of the 21st Street North/Maize Road Intersection.](#) (District V)

MAPC Recommendation: Approve.
Staff Recommendation: Deny.

RECOMMENDED ACTION: Follow the MAPC Recommendation and approve the
Vacation Order and authorize necessary signatures; OR

Follow the Staff Recommendation and deny the application.

- *47. [VAC2002-00028 – Vacate Portion of Alley – Southwest of the Douglas Avenue West/Seneca Street Intersection.](#)
(District IV)

RECOMMENDED ACTION: Approve the Vacation Order; authorize necessary signatures.

- *48. [VAC2002-00029](#) – Vacate Easement – Southwest of the Hillside/Pawnee Intersection. (District III)

RECOMMENDED ACTION: Approve the Vacation Order; authorize necessary signatures.

49. [CON2002-00034](#) – Conditional Use to Permit a Car Wash on Property Zoned Limited Commercial – Southeast Corner of 21st Street North and West Street. (District VI)

MAPC Recommendation: Approve, subject to Staff recommendations.

Staff Recommendation: Deny.

DAB Recommendation: Approve, subject to conditions.

RECOMMENDED ACTION: Concur with findings of MAPC and approve, subject to the recommended conditions; adopt the Resolution; OR

Concur with findings of Staff and deny; OR

Return the application to the MAPC for reconsideration.

50. [ZON2002-00042](#) – Expand the Old Town Overlay onto Property Zoned Limited Industrial for the Reduction of Parking Requirements – Southeast Corner of Douglas and Ida. (District I)

RECOMMENDED ACTION: Concur with findings of MAPC and approve zone change and first reading of Ordinance; OR

Return the application to the MAPC for reconsideration.

51. [ZON2002-00043](#) – Zone Change from General Office to Single-Family Residential – South of 37th Street North, approximately ½ Mile East of Ridge Road. (District V)

RECOMMENDED ACTION: Concur with findings of MAPC and approve zone change subject to condition of platting within one-year, and approve first reading of the Ordinance; OR

Return the application to the MAPC for reconsideration.

52. [ZON2002-00044](#) – Zone Change from Single-Family Residential and Multi-Family Residential to Limited Commercial – South of Central, East of Westridge. (District IV)

MAPC Recommendation: Deny Limited Commercial and approve Neighborhood Retail, subject to Staff recommendation.

Staff Recommendation: Deny Limited Commercial and approve Neighborhood Retail, subject to replatting within one-year.

RECOMMENDED ACTION: Concur with findings of MAPC and deny the request for Limited Commercial and approve Neighborhood Retail, subject to replatting within one year; Ordinance to be forwarded when the plat is forwarded to the City Council; OR

Return the application to the MAPC for reconsideration.

53. [ZON2002-00045](#) – Zone Change from Limited Commercial to General Commercial – Southwest Corner of 31st Street South and Wichita Street. (District III)

MAPC Recommendation: Deny
DAB Recommendation: Deny
Staff Recommendation: Deny

RECOMMENDED ACTION: Concur with the findings of the MAPC and deny; OR

Return the application to the MAPC for reconsideration.

- *54. [ZON2002-00046](#) – Amend Protective Overlay No. 36 – North Side of 21st Street North, approximately 1,100 Feet West of Maize Road. (District V)

RECOMMENDED ACTION: Concur with findings of MAPC and approve amendment and first reading of the Ordinance.

- *55. [A02-14](#) – Annex Land at the Southeast and Southwest Corners of 13th Street North and 135th Street West. (District V)

RECOMMENDED ACTION: Approve the annexation and first reading of the Ordinance.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

56. [Boarding](#) Assistance Devices for Disabled Passengers.

RECOMMENDED ACTION: Approve the Project and budget.

57. [Airfield](#) Pavement – Terminal Apron Phases I and II; and Runway Shoulder/Blast Pad Rehabilitation.

RECOMMENDED ACTION: Approve the budget adjustment.

58. [Tenant](#) Facility Improvements.

RECOMMENDED ACTION: Approve the budget adjustment.

HOUSING AGENDA

NOTICE: The City Council is meeting as the governing body of the Housing Authority for consideration and action on items on this Agenda, pursuant to State law, HUD, and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

Inafay Grays-McClellan, Housing Member is also seated with the City Council.

59. [Report of Public Housing Capital Improvements.](#)

RECOMMENDED ACTION: Receive and file.

60. [Report of Public Housing Occupancy.](#)

RECOMMENDED ACTION: Receive and file.

61. [Section 8 Statistical Monthly Report.](#)

RECOMMENDED ACTION: Receive and file.

62. [2002 Section 8 Voucher Revised HUD Budget.](#)

RECOMMENDED ACTION: Approve budget changes and grant increases;
authorize necessary signatures.

Adjournment
